

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
45 FREMONT STREET, SUITE 2000
SAN FRANCISCO, CA 94105-2219
(415) 904-5260



April 18, 2001

Th 7a

TO: Commissioners and Interested Parties

FROM: Steve Scholl, Deputy Director
Chris Kern, North Central Coast District Supervisor
Susan Craig, Coastal Planner

SUBJECT: **SAN MATEO COUNTY LOCAL COASTAL PROGRAM AMENDMENT NO. 3-00: Part A (Major).** (For public hearing and Commission action at its meeting of May 10, 2001 in Monterey.)

EXECUTIVE SUMMARY

This amendment includes proposed changes to the Implementation Program (consisting of the Zoning Regulations) and associated zoning maps of the San Mateo County Local Coastal Program. The proposed changes would revise the allowable building height limits and enact maximum floor area, daylight plane, and façade articulation requirements for residential parcels in the Mid-Coast. The amendment also revises the R-1 zoned parking regulations for substandard lots, the design review district regulations, and the Home Improvement Exception for Mid-Coast parcels. The proposed amendment would also enact two new zoning districts with resultant combining district regulations and revises the zoning maps. As discussed below, staff recommends approval of the San Mateo County Implementation Program/Zoning Regulations Major Amendment No. 3-00 (Part A) as submitted.

Background

On August 25, 2000 the Commission received an LCP amendment submittal from San Mateo County. This amendment, which constitutes one part of a larger amendment submittal, was given the number 3-00 (Part A). The Executive Director determined that LCP submittal #3-00 was in proper order and legally adequate to comply with the requirements of Section 30510(b) of the California Coastal Act and the amendment was filed on October 12, 2000.

Because of staffing constraints, staff was not able to prepare a staff recommendation for Commission action within 90 days of the filing of this amendment. Consequently, on November 15, 2000 the Commission extended the 90-day time limit for action on LCPA 3-00 up to one year.

The other component (Part B) regarding revision of the County's Surface Mining and Reclamation Ordinance for conformance with the State Surface Mining and Reclamation Act will be processed separately.



California Coastal Commission

C:\DOCUME~1\mfrum\LOCALS~1\Temp\3-00 A.doc

Summary Description of the Proposed Amendment

The entire text of the amendment submittal is attached to this report as Exhibit 1. As submitted, San Mateo County's LCP amendment No. 3-00 (Part A) (Major) includes:

1. Amending the "S-17" combining district regulations (Section 6300.2) to revise the building height limit and enact maximum floor area, daylight plane, and façade articulation requirements.
2. Enacting the "S-94" combining district regulations (Sections 6300.9.11.10-6300.9.11.9) to establish parcel size, parcel width, height, setback, parcel coverage, floor area, daylight plane, and façade articulation requirements.
3. Enacting the "S-105" combining district regulations (Sections 6300.14.00-6300.14.80) to establish parcel size, parcel width, height, setback, parcel coverage, floor area, daylight plane, and façade articulation requirements.
4. Amending the Zoning Maps (Section 6115) to rezone those Mid-Coast parcels designated Medium-Low Density Residential from "R-1/S-9" to "R-1/S-94."
5. Amending the Zoning Maps (Section 6115) to rezone those Mid-Coast parcels designated Low-Density Residential from "R-1/S-10" to "R-1/S-105."
6. Amending the Design Review "DR" district regulations (Sections 6565.2 and 6565.4) to establish a three-member design review committee.
7. Amending the parking regulations (Section 6118) to eliminate the covered parking requirements for R-1 zoned Mid-Coast parcels smaller than 3,500 sq. ft.
8. Amending the Home Improvement Exception (HIE) regulations (Section 6531) to preclude granting an HIE for Mid-Coast parcels to exceed the floor area limit.

Additional Information

For further information about this report or the amendment process, please contact Susan Craig, Coastal Planner, at the Central Coast District Office of the Coastal Commission, 725 Front St., Suite 300, Santa Cruz, CA 95060; telephone number (831) 427-4863.

PART I: STANDARD OF REVIEW

The Coastal Act provides:

The local government shall submit to the commission the zoning ordinances, zoning district maps, and, where necessary, other implementing actions which are required pursuant to this chapter...



The commission may only reject zoning ordinances, zoning district maps, or other implementing actions on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. If the commission rejects the zoning ordinances, zoning district maps, or other implementing actions, it shall give written notice of the rejection specifying the provisions of land use plan with which the rejected zoning ordinances do not conform or which it finds will not be adequately carried out together with its reasons for the action taken.

The commission may suggest modifications in the rejected zoning ordinances, zoning district maps, or other implementing actions, which, if adopted by the local government and transmitted to the commission, shall be deemed approved upon confirmation by the executive director. The local government may elect to meet the commission's rejection in a manner other than as suggested by the commission and may then resubmit its revised zoning ordinances, zoning district maps, and other implementing actions to the commission... (Sec. 30513)

The standard of review that the Commission uses in reviewing the adequacy of zoning and other implementing measures is whether the implementing measures are consistent with and adequate to carry out the certified Land Use Plan.

PART II: STAFF RECOMMENDATION, MOTIONS, AND RESOLUTIONS ON THE IMPLEMENTATION PLAN

Staff recommends adoption of the following resolution:

Resolution to Approve San Mateo County Implementation Plan Amendment No. 3-00 as Submitted

Motion. *I move that the Commission **reject** Major Amendment #3-00 (Part A) to the San Mateo County Local Coastal Program Implementation Plan as submitted.*

Staff recommends a **NO** vote on the motion above. Failure of this motion will result in certification of the Implementation Plan amendment as submitted and the adoption of the following resolution and the findings in this staff report. The motion passes only by an affirmative vote of the majority of the Commissioners present.

Resolution to Approve. *The Commission hereby **approves** certification of Major Amendment #3-00 (Part A) to the Implementation Regulations of the San Mateo County Local Coastal Plan and adopts the findings set forth below on the grounds that the amendment to the Zoning Regulations conforms with, and is adequate to carry out, the provisions of the Land Use Plan as certified. Certification of the Implementation Plan amendment will meet the requirements of the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Plan on the*



environment, or 2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the Implementation plan.

III. FINDINGS AND DECLARATIONS

A. Amendment Description

The urban Mid-Coast area of San Mateo County (Exhibit 2), which includes the communities of Montara, Moss Beach, El Granada, and Miramar, historically was developed with small houses or cottages. In recent years much larger houses have been constructed to the limits of the certified LCP. The changes proposed to the implementation portion of the San Mateo County Local Coastal Program would establish more restrictive house size, shape, and design regulations for R-1 zoned areas in the Mid-Coast. The proposed amendment would also enact two new zoning districts with resultant combining district regulations and revise the zoning maps. In addition, the proposed changes amend the parking regulations to eliminate the covered parking requirements for R-1 zoned Mid-Coast parcels smaller than 3,500 sq. ft., and amend the Home Improvement Exception (HIE) regulations to preclude granting an HIE for Mid-Coast parcels to exceed the floor area limit. These proposed land use ordinance standards must be consistent with and carry out the resource protection policies found in the Land Use Plan.

B. Rezoning

The proposed amendment would enact new combining district regulations and amends zoning maps to rezone those Mid-Coast Parcels designated Medium-Low Density Residential from R-1/S-9 to R-1/S-94 and Mid-Coast parcels designated as Low-Density Residential from R-1/S-10 to R-1/S-105. These changes are proposed because there are R-1/S-9 and R-1/S-10 zones elsewhere in the unincorporated portions of San Mateo County which will not be affected by the proposed amendment. Parcel size, parcel width, setback requirements, and parcel coverage in the new R-1/S-94 and R-1/S-105 zones are equivalent to those of the R-1/S-9 and R-1/S-10 zones, respectively. However, under the proposed amendment, new development in the R-1/S-94 and R-1/S-105 zones would be subject to new standards regarding floor area, height, design, and design review.

The third zone affected by the proposed amendment is R-1/S-17. Under the amendment, this zoning designation would apply to the same parcels as it does now, and the parcel size, parcel width, setback requirements, and parcel coverage would remain the same. As above, under the proposed amendment new development in the R-1/S-17 zone would be subject to new standards regarding floor area, height, design, and design review.

C. Zoning Methods to Control House Size

San Mateo County LUP Policy 8.12(b) states:

Employ the design criteria set forth in the Community Design Manual for all new development in urban areas.

Applicable San Mateo Community Design Manual criteria include:



SITING: *Structures and accessory structures should be located, designed, and constructed to retain and blend with the natural vegetation and natural land forms of the site (i.e., topography, rock-outcroppings, ridgelines, tree masses, etc.), and should be complementary to adjacent neighborhood structures.*

VIEW PRESERVATION: *Views should be preserved by limiting structure height.*

SCALE: *Structures should relate in size and scale to adjacent buildings and to the neighborhood in which they are located.*

San Mateo County LUP Policy 8.12(c) states:

Locate and design new development and landscaping so that ocean views are not blocked from public viewing points such as public roads and publicly-owned lands.

San Mateo County LUP Policy 8.13(a) states, in part:

(1) Design structures which fit the topography of the site and do not require extensive cutting, grading, or filling for construction.

(3) Use pitched, rather than flat, roofs...

(4) Design structures which are in scale with the character of their setting and blend rather than dominate or distract from the overall view of the urban landscape.

(5) To the extent feasible, design development to minimize the blocking of views to or along the ocean shoreline from Highway 1 and other public viewpoints between Highway 1 and the sea...

The five zoning methods typically used to control house size, shape, bulk, and visual impact are:

- Maximum Building Height
- Maximum Floor Area
- Daylight Plane
- Façade Articulation
- Design Review

The proposed amendment adds to or changes existing zoning regulations to address each of the above factors, as discussed below.

1. Maximum Floor Area



The certified LCP does not include a floor area limit based on parcel size. Floor area is currently controlled by height and lot coverage limits. The proposed amendment limits house size as a function of parcel size. The proposed floor area limit is .53 of the parcel size for standard-sized parcels and .48 of the parcel size for substandard-sized parcels¹ (see Table 1). If a parcel is only substandard by $\leq 5\%$, the allowed floor area is between .48 and .53 of the parcel size. The floor area limit applies to the floor area of all stories of all buildings and accessory buildings on a building site, including garages. However, in all cases, the maximum allowable floor area is 6,200 sq. ft. On parcels $\leq 3,500$ square feet, covered parking would not be required. This approach is intended to reduce overall building size while providing adequate living area and improved design flexibility for small houses allowed on these non-conforming parcels. However, off-street parking spaces would still be required, as described in Section 6119 of the Zoning Regulations.

Parcel Size (R-1/S-17 Zoning District)	Maximum Building Floor Area
2,500-4,749 sq. ft. or less than 45 ft. parcel width	0.48(parcel size)
4,750-4,999 sq. ft.	$0.53 - ((5,000 - \text{parcel size}) \times 0.0002) \times \text{parcel size}$
5,000-11,698 sq. ft.	0.53 (parcel size)
More than 11,698 sq. ft.	6,200 sq. ft.

Table 1. Formula for determining floor area limits.

A comparison of maximum allowable house size under the current and proposed zoning regulations for parcels in the R-1/S-17, R-1/S-9(4), and R-1/S-10(5) zones is shown in Tables 2 through 4 on the following page:

MAXIMUM FLOOR AREA (LIVING AREA + GARAGE) (sq. ft.) (minimum parcel size in R-1/S-17 zoning district is 5,000 sq. ft.)			
Parcel Area	Existing R-1/S-17	Proposed R-1/S-17	Decrease

¹ An issue raised during the public hearings held by the County and in a letter addressed to the Commission (see Exhibit 3) concerns construction of homes on substandard lots. In the Mid-Coast area there are thousands of substandard-sized lots. These are legal lots that are currently developable. The concern expressed by the commenter is that construction on these lots is contrary to the LCP's buildout numbers and would significantly impact the infrastructure and quality of living in the Mid-Coast area. While the Commission acknowledges that the buildout of substandard lots is an important planning issue in the county, this issue is outside the scope of the proposed LCP amendment because the scope of proposed LCP amendment is limited to the establishment of more restrictive house size, shape and design regulations for lots that are currently developable. The County is currently working on an update of its LCP and is holding regular public meetings on the LCP update. Examination of the broader issues of substandard lot buildout levels and consequent impacts to coastal resources and public access will likely be included in the scope of that update. The appropriate mechanism to address the substandard lot buildout level issue is the LCP update. Both the ongoing local process and the Commission's future consideration of an LCP amendment to certify the update will provide opportunity for public review and comment regarding the issue of substandard lots.



2,500	1,500	1,200*	20%
5,000	3,500	2,650	24%
7,500	5,250	3,975	24%
10,000	7,000	5,300	24%
12,500	8,750	6,200	29%
15,000	10,500	6,200	41%
* No garage requirement			

Table 2. Maximum allowable floor area in the R-1/S-17 zone.

MAXIMUM FLOOR AREA (LIVING AREA + GARAGE) (sq. ft.) (minimum parcel size in R-1/S-9(4) zoning district is 10,000 sq. ft.)			
Parcel Area	Existing R-1/S-9	Proposed R-1/S-94	Decrease
2,500	1,500	1,200*	20%
5,000	4,500	2,400	47%
7,500	6,750	3,600	47%
10,000	9,000	5,300	41%
12,500	11,250	6,200	45%
15,000	13,500	6,200	54%
* No garage requirement			

Table 3. Maximum allowable floor area in the R-1/S-9(4) zone.

MAXIMUM FLOOR AREA (LIVING AREA + GARAGE) (sq. ft.) (minimum parcel size in R-1/S-10(5) zoning district is 20,000 sq. ft.)			
Parcel Area	Existing R-1/S-10	Proposed R-1/S-105	Decrease
2,500	1,500	1,200*	20%
5,000	3,750	2,400	47%
7,500	5,625	3,600	47%
10,000	7,500	5,300	41%
12,500	9,375	6,200	45%
15,000	13,500	6,200	54%
20,000	15,000	6,200	59%
* No garage requirement			

Table 4. Maximum allowable floor area in the R-1/S-10(5) zone.

As stated above, the standards regarding parcel size, parcel width, setbacks, and parcel coverage will remain the same as under existing regulations. In contrast, as seen in Tables 2 through 4, the allowable floor area on a developable parcel will decrease substantially under the proposed amendment. The proposed floor area limits will provide for structures that are proportionally scaled to their building site, thereby reducing impacts on visual resources. Because maximum allowable parcel coverage will remain the same as under existing regulations, there will be no increase in impervious surfaces. In addition, the current Home Improvement Exception (HIE) provisions allow for enlarging a house up to



250 sq. ft. in excess of the allowable floor area. The proposed amendment would not allow use of an HIE to exceed the maximum floor area limit in the Mid-Coast. Thus the proposed floor area limits will assure that houses are more in scale with the character of their setting, rather than dominating or distracting from their setting. Therefore, as submitted, the Commission finds that the proposed Implementation/Zoning amendment regarding maximum floor area is consistent with the Structural and Community Features policies of the certified Land Use Plan.

2. Maximum Building Height

San Mateo County LCP Policy 8.12(b) requires that the County employ design criteria set forth in the San Mateo Community Design Manual for development in urban areas. The Design Manual and LCP Policy 8.12(c) require that the design of new development shall protect views. Under the certified LCP, the height limit is 28 feet in the R-1/S-17 zone, with exceptions to 36 feet under certain conditions in “DR” combining zones. In the R-1/S-9 and R-1/S-10 zones, the height limit is currently 36 feet. The proposed amendment limits heights in these zones to 28-33 feet, depending on zoning district, parcel size, and slope, with exceptions to 36 feet for chimneys, antennae, solar panels, etc. (see Exhibit 1).

Under the certified LCP, conformance with the height limit is determined by averaging the highest and lowest portions of the house. On sloping parcels, houses have been built in conformance with the height limit, but have massive (40+ ft.) down slope walls. The proposed amendment averts this outcome by requiring that *any* part of the house not exceed the height limit. Therefore, conformance with the height limit is *not* determined by averaging the highest and lowest portions, but by measuring the *actual* height of any and all portions of the house. This averts overly large walls and encourages houses that step down the slope and follow the contours of the land, as shown in the illustration in Exhibit 4.

As seen in Exhibit 4, however, the house under the proposed amendment is two stories at its uppermost portion as compared to the house under existing regulations, which is one story at its uppermost portion. This example seems to suggest that in certain cases homes under the proposed amendment could have greater impacts on views. In fact, the proposed house in Exhibit 4 *could* be constructed under the current zoning regulations. However, the existing house with the massive wall in Exhibit 4 *could not* be built under the proposed amended regulations. In addition, the proposed amendment would limit height of most homes to between 28 and 33 feet (with a few specific exceptions to 36 feet). Current regulations allow home heights of 36 feet in the R-1/S-9 and R-1/S-10 zones. Overall the effects of the proposed amendments will be a reduction in the height of homes and a ban on the construction of homes with large, flat walls. Also, the proposal measures height as the actual distance above grade. These changes will result in lower houses that have less potential to block views. Therefore, as submitted, the Commission finds that the proposed Implementation/Zoning amendments regarding height will not impact coastal views and are consistent with the Visual Resources Component policy 8.12 of the certified Land Use Plan.

3. Daylight Plane, Façade Articulation, and Design Review

LCP Policy 8.13(a) provides special design guidelines for coastal communities, including the requirement that structures in the Mid-Coast be in scale with the character of the setting and blend with



the urban landscape. The proposed amendment would require that new homes in the Mid-Coast be designed either to conform to a daylight plane or include façade articulation features, as determined by the applicant. A daylight plane directs the highest part of the house towards the center of the building (see Exhibit 4). Façade articulation is a design technique which breaks up flat walls through the placement of projecting or recessing architectural details, including decks, bay windows, balconies, porches, etc. Daylight plane and façade articulation techniques are used to prevent large, flat walls near neighboring residences.

Under the certified LCP there is neither a daylight plane or façade articulation requirement. The certified LCP does not control where the tallest part of the house may be located. The proposed daylight plane option directs the tallest part of the house to the center. This averts high walls next to smaller-scale adjacent houses. In addition to the daylight plane or façade articulation requirement, the proposed amendment involves an enhanced design review process in which all proposed houses in the Mid-Coast would be subject to review by a three-member Design Review Committee. The certified LCP does not have this requirement for new residential development in the Mid-Coast. If façade articulation is the chosen method, the Design Review Committee must find that: (1) all building façades are well articulated and well proportioned, and (2) each building wall is broken up so as not to appear sheer, blank, looming, or massive to neighboring properties.

The proposed daylight plane and/or façade articulation requirements would provide that new residential development in the Mid-Coast be designed so that house shapes minimally impact neighboring parcels. The additional requirement of design review for new homes in the Mid-Coast would assure that new houses are designed with architectural elements and façades that are aesthetically composed and proportioned. Therefore, as submitted, the Commission finds that the proposed Implementation/Zoning changes are consistent with structural and community features Policy 8.13 of the certified land use plan because the changes will help carry out the design guidelines of these policies and of the Community Design Manual.

IV. Consistency with the California Environmental Quality Act (CEQA)

The Coastal Commission's review and development process for Local Coastal Programs and amendments to them has been designated by the Secretary of Resources as being the functional equivalent of the environmental review required by CEQA. Therefore, local governments are not required to undertake environmental analysis on LCP amendments, although the Commission can and does use any environmental information that the local government has developed. As discussed above, the County's proposal is consistent with the Land Use Plan and will not have any significant adverse environmental impacts. The Commission incorporates its findings on land use plan conformity at this point as if set forth in full. Therefore, the Commission finds that Amendment No. 3-00 (Part A) is consistent with the provisions of the California Environmental Quality Act.

